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The Balance, AND COLUMBIAN REPOSITORY.

" HAIL SACRED POLITY, BY FREEDOM REAR'D !
" HAIL SACRED FREEDOM, WHEN BY LAW RESTRAIN'D !"
BEATTIE.

HUDSON, (New-York) TUESDAY, November 15, 1803.

Original Eſſays.

Hither the products of your closet-labors bring,
Enrich our columns, and instruct mankind.

FOR THE BALANCE.

POLITICAL SKETCHES.

No. VII.

" All the world's a stage—
And all the men and women merely players."
Shakespeare.

WHEN ambition to poſſeſs power is the ruling paſſion, men, according to a diverſity of circumſtances, act ſometimes a *comic*, ſometimes a *tragic* part. In an abſolute monarchy, where the prince is the ſole fountain of honour and power, aſpiring men, while they obſerve a haughty demeanor toward the people, devoutly offer their daily incenſe of adulation at the foot of the throne.—— The monarch is approached with ſupple knee, and is beſieged with all the arts of cringing ſycophancy. On the other hand, in a republic, where all offices and power originate from the people, there never fails to be played off a variety of juggling arts, to catch the attention and win the favour of that ſovereign body. A crafty ambitious man, who is determined to riſe *per fas et nefas*, by right or wrong, eaſily bends to particular circumſtances and ſituations. At Rome, under the hierarchal ſway, he would have preſſed among the foremoſt, to kiſs the toe of the chief pontiff. At the court of a prince, he would aſſiduouſly ſtudy all the phraſes and geſtures of groſs adulation: but no where has he ſuch boundleſs ſcope for practiſing the cunning arts of deception, for his own advancement, as in a free republic. Here he " ſtoops to conquer." Here " he lays couching, head on ground, with cat like watch." Though his heart be, in reality, as cold as the ſnows on Hecla, it affects to yearn toward the people. For them he makes his " dole," and pours forth profeſſions of unbounded attachment to their intereſts; which they requite with their confidence. His flatteries are offered to willing ears: his ſeductive arts ſucceed. While able and genuine patriots, too honeſt and noble minded to make uſe of mean artifices, are neglected, perhaps loaded with execrations, the ſly impoſtor climbs into power, of which, when it is firmly eſtabliſhed, he ſeldom fails to make a tyrannical uſe.

It has been excellently remarked, ſome years ago, by a very able writer in this country, " that a dangerous ambition more often lurks behind the ſpecious maſk of zeal for the rights of the people, than under the forbidding appearances of zeal for the firmneſs and efficiency of government. Hiſtory will teach us, (continues this writer,) that the former has been found a much more certain road to the introduction of deſpotiſm than the latter, and that of thoſe men who have overturned the liberties of republics, the greateſt number have begun their career by paying an obſequious court to the people, commencing demagogues and ending tyrants."*

* *Letters addreſſed to the people of the State of New-York, in the year 1787, under the ſignature of " Publius," and entitled " The Federaliſt."*

The hiſtory of republics, both ancient and modern, abounds with inſtances and examples, which are evincive of the truth of theſe ſentiments. The popular arts of Julius Cæſar paved the way for his ſubverting the Roman Republic. In the factions at Rome, Cæſar was the prime demagogue. He zealouſly eſpouſed the people's cauſe againſt the ariſtocracy of the patricians. No arts to ingratiate himſelf with the people and win their affections, did he omit. With his flattering ſpeeches and patriotic harangues, he coaxed them. With his ſolemn and frequent profeſſions of high regard for their intereſts, he inſinuated himſelf into their affections, and became their darling, their idol.—And were the people ſo ungrateful as to refuſe, in return for ſuch civilities, the total ſurrender of their liberties?—They were not.—When that crafty aſpiring general, at the bloody ſhrine of whoſe ambition more than a million lives had been immolated in foreign countries; when he turned his arms againſt the republic, and marched his army to Rome, the people were his partiſans: they received him into the city with tranſports of joy. Rending the air with ſhouts, they proclaimed him perpetual dictator, and, with infinite alacrity, bowed their necks to his iron yoke. Yet the Romans were brave and haughty: they loved liberty even more than life; and no man, but Cæſar, could have robbed them of this jewel. Had the ſtern blunt old Cato made the attempt, every Roman citizen would have aimed a pike at his breaſt; but the uſurper was *the man of the people*; it was *Cæſar*, who had ſtolen their hearts by his careſſes and flatteries; it was *Cæſar*, the

demagogue, the people's friend: they were content that he ſhould become abſolute maſter of the nation—they even gloried in their chains.

Oliver Cromwell, who ſubverted the Republic in England, and, with the title of Protector, inveſted himſelf with more than kingly powers, begun his career as a ſkilful practitioner of all the cunning and villainous arts of a demagogue. "Carried (ſays Hume) by his natural temper to an imperious and domineering policy, he yet knew, when neceſſary, to employ the moſt profound diſſimulation, the moſt oblique and refined artifice, the ſemblance of the greateſt moderation and ſimplicity."—— Cromwell's reſtleſs inſatiable ambition was hid under a homely and ſimple exterior. In his dreſs, he was plain; in his manners, unceremonious and coarſe. He was profeſſedly a king-hater, a deteſter of nobility, a mortal enemy to pomp and pageantry, a devoted friend to the equal rights of the people. Affecting to be a ſtranger to pride and haughtineſs, he mixed familiarly in the loweſt companies, and let down his converſation to coarſe vulgarity and buffoonery. His public ſpeeches were interlarded with praiſes of himſelf; and his proteſtations of attachment to the rights of the people were enforced with ſobs & tears, & with the moſt ſolemn appeals to heaven.

That arch-demagogue, that political juggler, in a ſhort ſpace of time, was able to graſp unlimited powers of ſovereignty: and after he had ſwept away the whole fabric of popular government and eſtabliſhed a military deſpotiſm in its ſtead, he received gratulations and affectionate addreſſes from the people—as much as to ſay, "we humbly thank you, ſir, for voluntarily taking upon yourſelf the care and trouble of becoming our maſter."

Political.

FROM THE EVENING POST.

LOUISIANA TREATY.

WE think we might juſtly lay claim to ſome little credit from our opponents for the manner in which we have conducted with relation to this Treaty; ſo oppoſite in every reſpect to theirs on a former occaſion. But it is important that we ſhould not be miſunderſtood. We do not mean that any merit ariſes from our having abſtained from the outrageous and ſhameful conduct to which they at that time deſcended. We cannot in conſcience or in decency predicate a claim for praiſe for not doing what we have never ſpoken of but with deteſtation. We do not, therefore, extol our moderation for not having organized a party throughout the United States to raiſe at a moment's warning in oppoſition to the treaty as ſoon as a ſurreptitious copy could be circulated through the medium of the papers. We make no pretenſions to derive the leaſt ſhare of approbation for not imitating a celebrated writer againſt the Britiſh treaty, who in his hurry to inflame and prepoſſeſs the populace, undertook to analyze its merits before it arrived, and even begun with "The Treaty is *ſaid* to be arrived." We have not, indeed, commiſſioned any demagogue to get together a rabble of the loweſt of the populace in every ſea port in the Union, and demand of them to vote that the treaty contains commercial ſtipulations ruinous to our intereſt. We have had no citizens to mount a bench in the midſt of a frantic croud, and move to "*kick the treaty to Hell.*"* We have not had a thouſand forms of objections prepared before-hand, and ſent round the country to appear as original in all the newſpapers. We have not hired blackguards to aſſail with brickbats in the ſtreets any man who dare ſpeak his mind; nor have we procured one of the L—— to march to the battery with a mob at his heels and burn the treaty, together with the negociator in effigy.—No; we have done nothing like this, and we claim no ſort of credit for not having done it.

Again; we have not preſſed our adverſaries in the manner that circumſtances would juſtly warrant on the ſcore of their glaring inconſiſtencies, with themſelves, both in profeſſion and actions, and which ſtare them in the face on the public records. The firſt ſtep they took was the very ſtep they had reprobated in a former Preſident, both in the Senate and through the medium of their preſſes. When it was propoſed to the Senate by Gen. Waſhington to ſend an envoy extraordinary to Great Britain to demand redreſs for the wrongs committed on our commerce, the democrats, after attempting no leſs than ſeven different times to throw the ſubject out by poſtponement, at length moved the following Reſolution:

"*Reſolved*, That any communications "to be made to the Court of Great Bri "tain, may be made through our miniſter "at that court with equal facility, and at "much leſs expence than by an Envoy "Extraordinary, and that ſuch an ap"pointment is at preſent inexpedient."

* *A leading citizen of Philadelphia, at a meeting, at the head of which were Dallas, M'Shean, Dr. Shippen, and Blair M'Clenachan, and of which the laſt was chairman, roſe and made the following motion: "I make a motion, that every good citizen in this aſſembly kick this damned treaty to hell."*

The members who voted for this reſolution were Meſſrs. Brown, Burr, Butler, Edwards, Gunn, Hawkins, Martin, Robinſon, Taylor, and to complete the liſt, Munroe, the very man who is now the Envoy Extraordinary on the preſent occaſion.

The next ground of clamour was, that the preſident had not ſubmitted to the Senate all his intentions and inſtructions, previouſly to the Envoy's departure, and taken their advice upon the whole. Mr. Charles Pinckney, now our ambaſſador at the Court of Spain, thought proper to procure a meeting of the inhabitants of Charleſton on this occaſion, in which he got up and made an elaborate addreſs to them. In the courſe of his ſpeech, as "carefully collected from his own notes and inſpected by himſelf," he thus expreſſed himſelf:

"If this is the fact, that Mr. Jay's in"ſtructions for forming this treaty were "not ſubmitted to the ſenate, nor receiv"ed their aſſent, he conſidered it as a mat"ter of great importance indeed, and that "required the moſt ſerious attention of the "people, how far the conſtitution ever "intended to authorize the preſident to "enter into any negociation with a foreign "power, without his having *firſt ſubmit*"*ted his intentions and inſtructions* to "the ſenate and received their advice and "aſſent, as well with reſpect to the ne"ceſſity of ſuch negociation, as to the "propriety of his inſtructions.

"His opinion clearly was, that the con"ſtitution gave no power to the preſident "to *commence* a negociation, without *pre*"*viouſly* ſubmiting his *intentions and in*"*ſtructions* to the ſenate, requiring their "advice and receiving their aſſent. The "words "by and with the advice and "conſent of the ſenate" admit *no other* "*explanation*. He cannot be ſaid to ad"viſe with them upon a meaſure, if he "forms a treaty without their knowledge, "and merely leaves to them the power of "determining whether they will ratify it "or not, after it has been ſolemnly con"cluded by the miniſter.

"The true conſtruction of this article, "and the uſe the people of the union will "one day require to be made of it, is, if "the preſident thought a foreign negocia"tion neceſſary, that he ſhould previ"ouſly conſult the ſenate, and be gov"erned by their opinion, how far it "would be proper, and *upon what con*"*ditions, to proceed in it*: If a power "was to be given to the preſident to enter "into negociations with foreigners, with"out acquainting the ſenate with the na"ture, or the connections he wiſhes to "form, and he ſhould merely leave to "them the power of ratifying or not, it "muſt at once, be ſeen, that the agency, "which the conſtitution intended to give

" the ſenate, in the formation of treaties,
" was in a great meaſure deſtroyed: and
" that as it was an unuſual, and ſome-
" times a hazardous thing, and productive
" of war, or other national calamities,
" for nations to refuſe to ratify a treaty af-
" ter it had been ſigned by the miniſter,
" who, it is to be ſuppoſed, was properly
" inſtructed, and acted agreeably to the
" inſtructions and wiſhes of thoſe who
" ſent him, there could be no doubt of
" improper treaties being FORCED up-
" on the people."

In South-Carolina, Waſhington Diſtrict, 'The Franklin, or Republican Society of Pendleton county,' had a meeting on the ſubject of the Treaty, in which they paſſed ſeveral reſolutions, and circulated them through all the democratic preſſes; among theſe reſolutions we notice the following:—

" *Reſolved*, That by the conſtitution of
" the United States, all treaties are to be
" made "*by and with the advice and*
" *conſent of the ſenate*"—that is, no treaty
" ſhall be negociated without the *advice*
" *firſt* taken, nor excepted without the
" *conſent* of the ſenate.—But the ſenate,
" as ſuch, were ignorant of the principal
" or baſis of the treaty itſelf. We admit
" they were made acquainted with the ap-
" pointment of Jay, but did not inſtruct
" him, nor were informed of his inſtruc-
" tions. *He was inſtructed, or he was*
" *not!—if he was! we will drop the*
" *curtain!* if not, and acted *of* and
" *for himſelf*, we ſhall lament only the
" want of a GUILLOTINE!

" In the negociation with Great-Brit-
" ain, the ſenate *was in ſeſſion*, and yet
" were they called on to *adviſe?* Did
" they give inſtructions? They did not.

" *Reſolved*, That we conſider it be-
" coming in a high degree the duty of the
" houſe of repreſentatives of the general
" government, to enquire into ſo bold an
" attack on the palladium of our rights—
" 'tis impoſſible they can ſuffer ſo flagrant
" *a breach in the conſtitution* to paſs un-
" noticed!"

Theſe very decent Reſolutions were not only publiſhed, but to ſtamp them with authenticity and enſure them the greater currency, the real names of the principal perſons who were preſent were added. This conſtitutional objection was, in ſhort, echoed from Georgia to New-Hampſhire.

(TO BE CONTINUED.)

Balance Closet.

DRY DOCKS.

The last Bee contains the commencement of an eſſay on Dry Docks (filling *only* about two columns) " to be concluded."—In one place the elaborate writer says, " I fear that in another century America will be deſtitute of fire-wood." As this does not appear to be a very forcible argument either for or againſt dry-docks, we would adviſe the writer to make uſe of it to prove that the timber growing in Louiſiana may fetch more money for fire-wood ſome centuries hence, than the whole province has coſt the United States.—In another place, the writer has improved on Mr. Jefferſon's plan of *dry-docking*, and has produced " ſome evidence on the ſubject." This evidence is an old veſſel which lies near Albany, " keel upwards." The writer (who is a lawyer, and underſtands ſuch things) has examined this evidence, and he ſays, " ſhe contradicts every thing" that has been ſaid abo t the ſpringing and cracking of veſſels which are laid up.—Now this old veſſel is in the ſame condition as a ſhip in dry-dock, excepting in a few particulars, viz.—*firſt*, inſtead of lying on dry ſand, ſhe lies in the water—*ſecond*, inſtead of being under cover, ſhe is expoſed, at all times (to uſe our lawyer's " ſea phraſe") to " all the grief of weather"—*third*, inſtead of lying on her bottom, ſhe lies " keel upwards."—Is not this an improvement on *dry* docks?—" Anſwer who can."

THE BLIND LEADING THE BLIND.

Though it is no wiſe ſtrange that multitudes of people, in the United States, ſhould be totally ignorant of the geographical ſituation of Louiſiana, it might have been expected that *all* the national legiſlators would have been well informed on this ſubject; yet it is a well atteſted fact, that Mr. B——P——, a member of Congreſs, a ſhort time before the commencement of its preſent ſeſſion, aſſerted, in the preſence of a number of people, with confident aſſurance, and with all the appearance of *honeſt ſimplicity*, that the vaſt territory called Louiſiana lies on the *Eaſt* ſide of the Miſſiſippi!!!

INFIDELITY IN THE BACK-GROUND.

We have heard much boaſting of the progreſs of Deiſm and Infidelity in the city of New-York; and of the talents and influence of the blind (emphatically *blind*) PALMER. The following letter received by one of the editors from a country friend, now in New-York, will ſerve to ſhew that PALMER has but few followers, and thoſe few are aſhamed to be known:—

" *New-York, Nov. 14th*, 1803.

" SIR,

" Having heard much ſaid of the Deiſt Palmer, I had the curioſity to attend at Snow's hotel laſt evening, to hear him deliver a *moral diſcourſe*, as he calls it; and although notice had been given of the meeting in the newſpapers of the city, but 54 perſons attended. And, what was ſtill more to the honor of the citizens, thoſe who did attend, ſeemed to conſider the wretch in that contemptible light, which his baſeneſs ſo well deſerves. Inſtead of crowding to the foremoſt ſeats, and filling them firſt, the back ſeat was filled firſt and the two next partly filled—the front ſeats being left entirely vacant. Many who were acidentally crowded forward, retired behind, and choſe rather to ſtand up behind, than to cominue forward, where the light of the candles expoſed them. Even Cheetham himſelf ſtood behind the chimney in the dark, quite at the back of the room! I think, therefore, we have nothing to fear from the influence of the Theiſtical gentleman upon the citizens of New-York."

GOOD NEWS.

In a late Watch-Tower the pleaſing information is announced, " that Gov. Clinton is comparatively youthful"—that " he is not too old for his office"—and that " he is not blind!"

Captain " Mark Anthony" Bee, ſays, that " Mr. Jefferſon never appointed an old tory to office unleſs he had previouſly *changed his principles*."—Strange, that Satan will always ſhew his cloven foot! Who could have thought that Holt would ever confeſs that an *old tory* had nothing to do to get into office, but to become a good democrat!

We are happy to notice the enlargement and improvement of the *New Haven Visitor*. It has received the additional title of " CONNECTICUT POST," and is published on a large ſheet, in folio.

The ſubſcriber acknowledges the receipt of ſeveral letters containing ſketches of the character and conduct of T****** K******. A tranſaction of his, a ſhort time previous to his leaving Schenectady, is mentioned by all my correſpondents; and it caſts a deeper ſhade, if poſſible, on his character, than the late *letter-affair*. I have, however, very good reaſons for not making uſe of the information in a public manner. It is doubtleſs the duty of every perſon to detect and expoſe knavery; but it is not, therefore, neceſſary for every perſon who detects a knave, to reply to the abuſe which the fellow may beſtow upon him. The annexed anecdote concludes all I have to ſay on the ſubject:—

Some years ago it was cuſtomary in Connecticut to compel horſe thieves (in addition to other puniſhment) to ſit for a given time on a wooden horſe, expoſed to the jeſts and taunts of the crowd. An old hardened rogue, having, in conſequence of ſome *trick*, arrived at this diſtinguiſhed elevation, while ſurrounded by a multitude of hiſſing boys, fell to abuſing the ſheriff's deputy who had been inſtrumental in bringing him to puniſhment, calling him all the hard names of thief, villain, raſcal, &c. &c. The deputy bore it all, with much good-natured patience, till the jockey had exhauſted his whole ſtock of epithets, when he looked him in the face and calmly aſked, " Does all this prove that you did not commit the crime for which you are ſuffering puniſhment?"——This queſtion, it is ſaid, called a bluſh into the face of the criminal.

Query. What effect would the ſame queſtion have upon T. K.?

HARRY CROSWELL.

Agricultural.

EXTRACT.

"There is that withholdeth more than is meet, but it tendeth to poverty."

SOLOMON.

"PARCUS is a husbandman. There is not a farmer in the town, who, with the same quantity of hay, keeps so numerous a stock. But though he seldom sells or kills a beef, or a mutton, he only just keeps his number good. His sheep shed half their wool before shearing time; his cattle arrive not to their growth, until they are five or six years old; and then they are but dwarfs: and his yard, every spring, is the rendezvous of all the neighbouring crows; and all because he is too saving of his hay. If he can make his creatures live through the winter, he thinks he does well. His object is to keep a large stock on a little hay.

"If he buys a breeding mare, what he principally regards is a low price. He does not consider that a low-priced animal will eat as much as any other; and that her foals are not of half the value. His buildings fall into ruins, because he dreads the expence of repairing; and the very timbers are rotting, while he tries to make the old covering last as long as possible. Rather than be at the expence of convenient implements for his husbandry, he depends on borrowing; and the time lost for want of them, and spent in borrowing and returning, every year amounts to five times their value. Thus Parcus carries on his business, and with great industry, on a good farm, he just supports a moderate family; while several of his neighbours, on farms no better, and with less labour, are growing rich, only by *discretion* in saving, and *judgment* in spending."

Miscellany.

FROM THE PLEBEIAN.

DESCRIPTION
OF A CAVERN IN ULSTER COUNTY.

ABOUT the distance of fourteen miles south-west from Esopus, there is a cavern, which is greater in the extent of its dimensions, and more remarkable, than any other yet explored in this county. It is but a small distance from the habitation of Mr. Zackariah Rosekrans, by whose servant it was discovered a few years ago. This black man became insolent, and refused to labor. He left his master, and concealed himself, during the day, in this subterraneous place, issuing from it, in the night, to supply himself with subsistence. Finding his situation rather uncomfortable, and, perhaps, feeling penitent, he returned to his master, begged forgiveness, and made known to him his retreat.

The Cavern is estimated to be three quarters of a mile in length. The breadth varies from 20 to 40 feet. A stream flows through it, called, in the language of the Dutch, *Rust-plaes-kill*: in English, *resting-place-creek*.* This stream, which issues from the mountain to the north-west, runs two miles before it is embosomed by the cavern. It emerges about a quarter of a mile from the Rondout-creek, and falls into it. The passage into the cavern is a considerable distance from its western extremity. It is very narrow; and as it is perpendicular to the ground level, there is some difficulty in descending. It is evident, from the forms of the blocks of stone, which lie under the opening, that it has been made by the splitting of the rock caused by the expansion of the ice in its cavities.

On the sides and roof of the cavern, which is composed of dark colored limestone, we observed impressions of shells, calcareous spar, and beautiful white and yellow stalactites, of different size and shape, some of which had much the appearance of a honey-comb. We found none broken off, or carried away. The roof is flat, and appears as if it had been cut by a chissel. At the distance of a few rods from the opening, on the west side, the cavern divides itself into two vaults of nearly the same dimensions. Near the eastern extremity there is a fall of water, of unknown depth, beyond which no person has yet ventured. We were informed, that the common eel, and a species of the sucker, have been caught in this subterraneous stream. Last week, when we visited it, the water was so shallow, that, in many parts, we could step from one stone to another without wetting the shoe. In some places, however, we found it necessary to creep along the sides of the rock. We felt disagreeable sensations of warmth. Farenheit's thermometer stood at 65 degrees; when in the common atmosphere it was 57. We saw rotten timber in the chinks of the rock, which doubtless engenders impure air. The water oozes and drops from the roof, and occasions a mistiness so great, that, at a small distance, the flame of a candle is little more than perceptible. After violent rain, the cavern is not capacious enough to receive all the waters of the stream: that which it cannot admit, rushes past the inlet, and runs in the direction of the cavern. It crosses the road leading to the house of Mr. Rosekrans, and the body of water is sometimes so great, that it is troublesome to travellers. The dry bed of the stream is very visible, as it is a smooth rock from which a shallow soil has been washed away.

* *This name originated from the following circumstance:—When the country, to the west of Esopus, was yet uncultivated and without roads, the inhabitants, of the first settlements, in the townships of Mombakus and Napenok, required two days to travel to Esopus. They passed the night at farm-houses on the side of this creek; hence it received the name of* place of rest.

Monitorial Department.

To aid the cause of virtue and religion.

EXTRACT.

SEASONABLE HINTS TO THE LADIES, FOR PRESERVING HEALTH AND PROLONGING BEAUTY.

DRESS should be accommodated to the season and climate. The laws of fashion can never controul the constitution of our bodies in such a manner, that the people of a cold climate can without real impropriety borrow their modes of dress from the inhabitants of a warmer one. French fashions ill apply to the situation of the Northern parts of the United States. The furs of Russia are much better adapted to our winters, than the Fabrics of France. When we consider how the health is affected, it becomes an affair of serious moment, to whom we look for direction in forming our taste in point of dress. It would discover more real good sense to form our own;—but as this would be troublesome, I do not expect we shall ever be so independant. Foreigners remark, that the ladies of America lose their bloom and impair their vivacity, at a very early period of life. I am of the opinion, that the irregularity of our climate is the principal cause of this unfortunate fact. Perhaps this is a misfortune, against which there is no perfect remedy. The effects

of it, however, may be partly counteracted; and our women may preserve their health, their vivacity and their beauty much longer than they do. There is no doubt, that a warmer dress, in the winter, than is usually worn by our females, would meliorate their constitution, and contribute to their happiness.

Congress of the Union.

INTERESTING DEBATE,

On Mr. R. Griswold's Resolution for calling on the President for the title to the province of Louisiana.

(CONTINUED.)

MR. J. RANDOLPH,

In opposition to Mr. Griswold, rose and said, I hope the house, will not agree to this resolution. I am well aware of the consequences which may result from requiring papers from the executive before the business comes fully before the house. The gentleman who brings it forward, has varied a little in mentioning the word *subject*. I know it is a favorite expression with the gentleman. The peculiar *penchant*, of some gentlemen for this expression, will be an excuse for my varying my phraseology. A commissary has been sent from France to Louisiana, to do that which may be necessary, and of which the gentleman is doubtful, and to transmit his proceedings to the president of the United States. It appears from this that provision is making on the part of France, to put us in possession of the territory, and of the *citizens* of Louisiana, as soon as we on our part ratify the treaty. There is therefore a necessity for our making provision to carry it into effect. There was in the famous treaty with Great Brtain, objections, almost innumerable. Langauge of this kind was then held up in the house, it was said we detest your treaty. A treaty now very different from that of London—a treaty advantageous and popular is made with France. If we find it a good treaty, we surely ought to make provision for it. Shall we take an exception to our own title, when France has pledged herself for its validity? Shall we refuse to be put in possession? Can any gentleman doubt that as far as France can bestow, we have a title? Can they doubt, but that France has not a title from Spain? Will our passing an act to make provision for carrying this treaty into effect impair our title? If it should hereafter appear that Spain has a title, and that title is un-conveyed to France, it certainly will not. It appears to me that it will be little better than a mockery, to enquire at this time whether we have a title to this territory. So long as we are informed by the executive that we are to be put in possession, and that he has powers so to do, we need not in the present instance inquire farther.

MR. LYON,

Was in favor of the resolution, but thought it had been brought forward in a *disrespectful* manner. [We have not been able to learn at what period Matthew Lyon first began to feel squeamish on this head. Has the word *disrespect* the same meaning *now* that it had when Mr. Lyon was formerly in Congress?]

MR. GODDARD,

Next offered the following sound and conclusive arguments.

The object to be obtained by seeing the papers requested to be laid before us, is to ascertain, whether France, from whom we have received a cession of Louisiana, had derived from Spain, any title to that country. Gentlemen say, that it is unnecessary for us to know this—that France has declared in the treaty, that she has an "inconteslible title to the domain and to the possession of the said territory." Such indeed, are the words of the treaty, but France has not left the matter here—If that declaration had been simply made, there would have been more in the argument—but the treaty has gone farther, and told us, what that *inconteslible title is*! And what is it? All the title of France to the ceded territory is derived from the third article of her treaty with Spain, of the first October, 1800. That article is introduced into the treaty, now on our table, and is nothing more than a promise on the part of his Catholic majesty.—"*To cede to the* "*French republic six months after the full* "*and entire execution of the conditions* "*and stipulations herein, relative to his* "*royal highness the Duke of Parma, the* "*colony and province of Louisiana*," &c. Our treaty with France then goes on to say, "and whereas, in pursuance of the said treaty, *and particularly the third article*, the French republic has an inconteslible title," &c. So that France not only tells us that she has an inconteslible title to the ceded territory; but she also tells us what that inconteslible title is—and it is nothing but a promise on the part of Spain, to cede six months after the fulfilment of certain conditions, relating to the Duke of Parma. What then do we purchase upon the face of the treaty itself? Not a country, but his Catholic Majesty's promise to cede a country at a future time and on certain conditions.—Now as the treaty itself furnishes no evidence of title, we enquire for the evidence on this subject? We ask, have the conditions of the treaty between France and Spain, ever been fulfilled? Have the six months elapsed? If so, let us see the actual cession which Spain promised to make. If not, has Spain ever waved the performance of those conditions, and thereby yielded the title to France? If Spain has ever done this, we ask for the evidence of it—Let us know whether Spain assents or dissents to our taking possession of the country.

This information, we desire, not for the purpose of ratifying or rejecting the treaty—this belongs to the president and senate alone, but for enabling us to judge, what laws are necessary to be passed, or whether any, for the government of the country.

But it is said that the treaty provides that a commissary shall be sent by France to the ceded territory, to receive its possession from Spain and transmit it to us.

It is therefore of no importance to us to know, whether France has any title? If the commissary cannot receive possession from Spain he cannot transmit it to us. But suppose the mandates of the First Consul of France, is now law to Spain, may not the time come, when a different state of things will exist? And may we not, before we pay fifteen millions of dollars, inquire whether our title to the territory is found?

But a gentleman from Virginia (Mr. Randolph) has said that there is a great difference between this case and that of the British treaty to which he has referred. In that case, says the gentleman, the house of representatives said to the president, "sir, *we detest your treaty*." But this treaty, the gentleman says, has been hailed by the country as a blessed thing. I do not know sir, how the people of this country can have expressed their approbation of this treaty. It is now for the first time, been made public, and its terms and conditions, have been heretofore unknown, and cannot suppose that the people of this country will consider it as a blessed thing to pay fifteen millions of dollars for a country, to which they get no title.

Mess. Smilie, Randolph, Elliot, and Nicholson spoke against the resolution, and Mr. Thatcher in favor of it, when

DR. MITCHELL,

After a speech of some length, in which he entered into a geographical description of the boundaries of Louisiana, &c. moved for a postponement of the resolution.

MR. R. GRISWOLD,

I cannot believe the gentleman from New-York (Dr. Mitchell) is serious, in

the motion for poſtponing the conſideration of the queſtion to a diſtant day. That gentleman muſt be perfectly ſenſible, that if the papers requeſted, can be ever important, it muſt be at a time when this Houſe are legiſlating for the government of the Province.

It has been often repeated in this debate, that without poſſeſſing full and ſatisfactory evidence of our title to Louiſiana it is both dangerous and abſurd to legiſlate for governing the country.—Nothing which has been urged, has in my judgment, either weakened the principle contended for, or proved, that the title can be aſcertained without thoſe evidences of title which have been requeſted. If indeed it is expected that we ſhall provide for poſſeſſing and governing a country, without regard to the rights of Spain, or any other nation; then I admit that the papers in queſtion are unneceſſary, and ſo is the Treaty and Meſſage alſo, and we may proceed to authorize the conqueſt by law. But if it is only expected that we ſhall poſſeſs the country under a fair and honourable purchaſe, then, moſt aſſuredly, it becomes us, to aſcertain, whether we have acquired a title by the inſtrument under which we claim. I have been one of thoſe who have believed that the power of making treaties belongs excluſively to the Preſident and a conſtitutional majority of the Senate, nor have I at this time ſeen any reaſon to doubt the correctneſs of that opinion, and I do not feel any heſitation in declaring, that if the Treaty under conſideration has been fairly and conſtitutionally made and ratified, it becomes a law, and that this Houſe together with every Department of the government is bound to carry it into execution. But can it be imagined, that it reſults from this, that we are bound to provide by law for executing the Treaty, before we know what the Treaty is and what are its effects? If the Treaty contained within itſelf all the information which is neceſſary for aſcertaining its import and effect, there might be great weight in the argument againſt calling for farther information, but when the import of the inſtrument is uncertain and the great queſtion of title, (which muſt be the foundation of all our proceedings upon this ſubject,) remains altogether unſettled, it is indeed aſtoniſhing that gentlemen ſhould be willing to proceed without obtaining thoſe evidences of title, which alone can juſtify us, in extending the government of the Union over this new people. I wiſh to be diſtinctly underſtood, that I do not claim the right of deciding on the merits of this Treaty, I only claim a right to know what we have acquired by the Treaty; that by knowing this we may be able to diſcover what legiſlative proviſions are neceſſary for its execution.

I wiſh again to impreſs it on gentlemen, that France has only ceded to us the right which ſhe acquired by the 3d article of the treaty of Idelfonſo, and that right was no more than a promiſe on the part of Spain to cede the Country upon the execution of the ſtipulations in favor of the Duke of Parma, and it cannot be neceſſary for me again to repeat, that a promiſe to cede is not a ceſſion, and more eſpecially when that promiſe is clogged with unknown conditions.

The engagement of France in the 5th article to which gentlemen have referred, and by which it is agreed that France ſhall ſend a Commiſſary to receive the poſſeſſion from Spain, and to deliver poſſeſſion to the Agent of the United States has no application to the preſent queſtion.

The queſtion under conſideration is, has the United States a right to govern Louiſiana? That right does not depend upon what may be done hereafter—it depends upon the title which we have acquired by the Treaty; and the queſtion ſtill returns upon us, have we acquired a title by that inſtrument:

It is poſſible that Spain may refuſe poſſeſſion to the French Commiſſary, or France may neglect to ſend a Commiſſary to receive the poſſeſſion.

In either of theſe events, if it ſhall be fully aſcertained that we have acquired a title to the Country, I preſume the language of this country, will correſpond with the language of the gentleman from Maryland (Mr. Nicholſon) and we ſhall ſay with him, more eſpecially as it reſpects New-Orleans, 'what care we for the claims or poſſeſſion of Spain—the country is ours and we will have it.' The Houſe ought not therefore to legiſlate with a view to any thing which France may do hereafter either to give us the title or poſſeſſion of the Country. We ought to ſtand upon the ground of our right and our own title without looking to the guarantee or any foreign nation.

A gentleman from Kentucky (Mr. Sandford) had ſaid, that he held in his poſſeſſion evidence that France had already acquired poſſeſſion of the country. This I declare to be news, of which I never have heard a liſp until it had been announced by the gentleman from Kentucky. The account however I preſume is not official—it has probably been taken from ſome Newſpaper, and can furniſh but little evidence to eſtabliſh the title to this immenſe country.

I am not tenacious of the particular form in which this reſolution ſhall paſs—I look only to the ſubſtance and aſk for information. If it is ſuppoſed that the reſolution, ſo far as it relates to the conſent of Spain interferes with the ſecrets of the Cabinet, I ſhall be content to place it on ſuch grounds, as will barely obtain from the Preſident a declaration whether Spain has given her conſent or not.

I admit that if this Treaty is to be carried into execution it ought to be done ſpeedily, and I have no wiſh unneceſſarily to retard thoſe gentlemen who believe that it ought to be conſidered as a conſtitutional inſtrument and executed accordingly. But for the ſake of knowing how we can or ought to act, in regard to the manner of executing it, it is in my judgment indiſpenſibly neceſſary that we ſhould poſſeſs the papers requeſted.

[The debate will be concluded in our next.]

Democratic Gallantry and Politeneſs.

In the houſe of repreſentatives on the 31ſt Oct. Mr. Early of Georgia moved that no perſon ſhould be admitted within the bar of the houſe unleſs introduced by a member, except foreign ambaſſadors. Mr. Nicholſon did not approve of excluding *ladies*. Mr. Early had no objection to admitting *them*. This was *gallantry!* Mr. J. Randolph wiſhed the motion to extend to foreign ambaſſadors. "*Their buſineſs* (ſaid he) *is with the executive—they can have no buſineſs in this houſe.*" This was *politeneſs!*—The next day Mr. Dawſon, doubtleſs chagrined at the jacobin-like conduct of ſome of his party, contrived to get the buſineſs out of the *houſe*, by moving its poſtponment to June next.

Poſt-road to New-Orleans.

In the houſe of repreſentatives on the 2nd Nov. Dr. Mitchell, after ſome introductory remaks, moved "That the committee on the Poſt-office and poſt-roads be directed to enquire by what means the mail may be conveyed in the greateſt ſecurity and diſpatch to New-Orleans." He added, that a mode might be adopted to convey the mail from New-York to New-Orleans in ten days. Motion agreed to.

Nov. 3, Senate agreed to the engroſſed bill of the houſe, appropriating 50,000 dollars for carrying into effect the 7th article of the treaty with Great-Britain.

Be it our weekly task,
To note the paſſing tidings of the times.

Hudson, *November* 22, 1803.

PRAISE-WORTHY BENEVOLENCE.

On Thurſday morning twenty-three waggons arrived in this city from New-Lebanon, loaded with proviſions, &c.

which, together with 300 dollars in ſpecie, is a donation from the ſmall community of Believers, (vulgarly called Shakers) of New-Lebanon and Hancock, to the corporation of New-York, for the relief of the poor of that city. While we record with pleaſure, ſuch an inſtance of liberality, we forbear expreſſing our feelings on the occaſion. The deed ſpeaks for itſelf; and every perſon acquainted with the unoſtentatious character of the generous donors, muſt be ſenſible that it was not done for *praiſe-ſake*. But we have ſtrong motives for mentioning ſuch a deed. We wiſh to ſhew the proud rich man an example worthy of his imitation. Therefore, if he has a heart to feel, let him "go, and do likewiſe."

The above mentioned donation, we underſtand, conſiſted of the following articles:—

300	*Dollars, ſpecie,**
853	*lb. Pork,*
1951	*lb. Beef,*
1744	*lb. Mutton,*
1685	*lb. Rye Flour,*
52	*Buſhels Rye,*
24	*Buſhels Beans,*
179	*Buſhels Potatoes,*
34	*Buſhels Carrots,*
2	*Buſhels Beets,*
2	*Buſhels Dried Apples.*

* Exclusive of 26 dolls. 50 cents intended for the payment of expence of freighting the articles from this place to New-York.

Extract of a letter from a reſpectable merchant in Liſbon, dated 30th September, to his correſpondent in this city, received via Philadelphia. [*N. Y. pap.*]

"A French fleet of 16 ſhips of the line and frigates have ſailed from Breſt for Ireland, with troops on board, and a Britiſh fleet is in purſuit of them."

From the Philadelphia True American.

By the politeneſs and attention of the owners of the ſhip Lewis William, we have been favored with London papers to the 2d, and Briſtol papers to the 3d October. The papers are taken up with various accounts of the bombardment of Calais, the various warlike preparations and movements in England, promotions of officers, ſailing and arrivals of ſingle ſhips of war, of little conſequence.

On the 27th of Sept. the alarm ſignals were made, that the enemy had appeared off the coaſt of Kent, which threw the whole country into buſtle and confuſion, ſome running to arms, and ſome running, they did not know where, with full arms. This account arriving in Briſtol juſt before the ſailing of the William Lewis made a dreadful uproar in the town, but ſoon after, hearing it was only an alarm, every one returned to his home, except a few who in their flight outſtripped the poſt.

From NEW-ORLEANS, *October 7.*

"Lauſſat and the Spaniſh government here are quarrelling. The rupture originated in a very improper and unauthoriſed act of the former. The cutter Terreur, a national veſſel, being in want of hands to proceed to ſea, the Prefect permitted her captain and officers to reſort to the expedient of preſſing the French ſeamen, from the merchant veſſels in the harbour, which they did without the advice or conſent of the Spaniſh government, and proceeded on their voyage."

BOSTON, NOV. 8.

From the Mediterranean.

Capt. Elwell, who arrived on Saturday laſt, from Malaga, ſailed from that place on 28th of September. There was no doubt that the Moors had commenced war againſt the United States. The pretext was the capture of the Tripoline ſhip under Moroiſh colours. The brig Celia, capt. Bowen, which had been taken by a cruizer 20 guns, and re-taken by the Philadelphia, had been at Malaga, and ſailed from thence for Alexandria, in company with capt. Elwell. When in poſſeſſion of the Barbarians, ſhe was near eſcaping recapture; for when the Mooriſh veſſel was boarded from the American frigate a formal paſs was exhibited, which would have been treated with the uſual reſpect had not ſome confuſion in the anſwer to an enquiry reſpecting the brig in company, created a ſuſpicion which induced capt. Bainbridge to cauſe her to be examined, and after that, the Americans were about retiring ſatisfied when capt Bowen ſprung from one of the port-holes into the boat, and claimed protection from his countrymen. Capt. Bowen repreſented the Emperor of Morocco's marines as cowardly wretches, and believed that a very few guns would have rendered his veſſel ſafe. It is ſaid, beſides, that they are fearful of carrying ſail either in purſuing or retreating.

The ſhip taken from the Moors had ſailed for the United States.

Early in Sept. there were three or four ſmall Mooriſh armed veſſels at Gibraltar, with ſealed orders.

When the hoſtile diſpoſition of the Emperor was aſcertained, all the United States veſſels at Gibraltar, put to ſea for the protection of the trade, and orders were diſpatched up the Mediterranean for ſome of the government ſhips to come down. Two or three of the ſmaller cruizers had fortunately arrived from America; and the ſtrength of our ſquadron at the Straits is ſufficient to prevent any conſiderable apprehenſions for the ſafety of merchant veſſels.

Capt. Elwell was told by the Conſul at Malaga, that Commodore Preble had gone over to Tangiers, to endeavour to reſtore a good underſtanding with Morocco. It will be recollected that the Conſul General to the Barbary Powers was a paſſenger in the Conſtitution, and both that gentleman and Commodore Preble, have ample powers.

There were no reports of Tripoline veſſels being at ſea.

War between France and Spain was expected at Malaga.

The report that Lord Nelſon had bombarded Algiers was revived and credited.

Literary Notice.

PORT FOLIO.

GENTLEMEN in this vicinity, who are willing to become patrons of that elegant and valuable literary work, the "PORT FOLIO," may obtain it by applying to the ſubſcriber, who is authorized to receive ſubſcriptions. The fourth volume commences on the firſt day of January next.—Price of the paper, *Five Dollars*, per annum, payable in advance.

HARRY CROSWELL.

Balance-Office, Nov. 1803.

To our Patrons.

THE Editors of the Balance, obſerving with regret, the inattention of ſome of their diſtant ſubſcribers to the ſettlement of their accounts, hereby give notice, that after the firſt day of January next, no perſon can receive the Balance by mail, unleſs payment has been made for all arrearages; and that no application from new ſubſcribers will be attended to, if unaccompanied with *advance payment*.—— A great proportion of our cuſtomers, have obſerved a punctuality which entitles them to our warmeſt thanks.

The Wreath.

FROM THE BOSTON CENTINEL.

The following is the product of a leisure moment—If it is worth reading the writer is gratified.

EPITAPH
ON CHARLEY KING.

FOR MANY YEARS AN EMINENT CHIMNEY SWEEP.

FREE from Ambition, and no friend to strife
Yet ever *soaring* 'bove the walks of life :—
No flaming hero he, with death to joke,
Yet ever living 'midst the *flames* and *smoke*.
In life the *lowest*, yet forever *rising*,
His thoughts *on high*, but never *moralizing* :—
He *Charles of England* was :—It is no satire :—
A *King* by name—a Democrat by nature.
He lov'd *New-England* well—no patr't stronger—
None, none, on record every lov'd it longer.
But *Charley's* gone—extinguish'd is his taper—
And useless lies his brush, his bag and scraper.
Sic transit

Diversity.

FROM A BRITISH MAGAZINE.

RECIPE
FOR MAKING RED HAIR BLACK.

BLACK lead and ebony shavings, of each one ounce, of clear water, one pint, boil all together one hour ; and when fine, bottle for use. The comb must be often wetted, and the hair frequently combed, and if required to be of a fine black, add two ounces of camphire.

THE consequence of purchasing the friendship of hostile nations with money, instead of repelling their aggressions and punishing their insults by valour, is seen in the following :—

The Danes invading England, in the beginning of the eleventh century, the timid English bought a peace with them, at the price of thirty thousand pounds. Afterwards those freebooters levied a contribution of eight thousand pounds upon the county of Kent ; and finally, presuming on the cowardice and feeble resistance of the English, from their having chosen to pay them contributions of money rather than to face them in battle, the Danes established themselves in Britain ; Canute, their leader, became King of the country, and the dastardly natives had to bear the galling yoke of a foreign conqueror.

IT had been remarked of Charles II, King of England, that he never said a foolish thing, nor ever did a wise one : a censure, (says Hume,) which, tho' too far carried, seems to have some foundation in his character and deportment. When the King was informed of this saying, he observed, that the matter was easily accounted for : for that his discourse was his own, his actions were the ministry s.

" AS poor as a poet" is a proverbial expression. Thomas Otway, one of the first tragic poets in the English language, literally died of hunger. Otway's poverty was thus cruelly ridiculed by the witty Earl of Rochester :—

Tom Otway came next, Tom Shadwell's dear Zany,
And swears for heroics he writes best of any ;
Don Carlos* his pockets so amply had fill'd,
That his mange was quite cur'd, and his lice were all kill'd.

* *Don Carlos, one of Otway's plays, from which he received a considerable benefit.*

POGGIO BRACCIOLINI.

IN one of the works of this author is related a story which has been omitted in his life lately published. Poggio himself thus related it. It is necessary to premise, that the subject of the section in which he has introduced it, is the folly of pursuits, the expence of which is greater than the pleasure produced is worth.

" A physician of Milan, who understood the cure of madmen, had a pit of water in his house, in which he kept his patients, some up to their knees, some to their girdle, and some to the chin, according to the greater or less degree of madness with which they were affected.—— One of the madmen, who was upon the point of his recovery, happening to be standing at the house door, saw a young noble pass with his hawk upon his fist, well mounted, and with his usual equipage of hunting, spaniels, huntsmen, &c. behind him. The madman demanded to what use was all this preparation, and was courteously answered to kill certain birds. And how much, said the madman, may be the worth of the fowls which you kill in a year. The gentleman replied five or ten crowns. And what, said the madman, may your hawk, spaniels, horses, &c. stand you in within the year. About five five thousand crowns.——Five thousand crowns, replied the madman, and gazing at him a moment with the wild earnestness of an approaching phrenzy, he seized him by the shoulder, and forcing him to the pit, immerged him several times in the water, (the usual practice of his master with his more desperate patients.) Having thus ducked him he led him back to the door——hark ye my friend, said he, dismissing him, take my advice, and make all possible haste from this house—for should the doctor come home he'll drown you but what he'll cure you.

This anecdote, says Poggio, may appear to be invented to enforce my present subject, but I received it from the most satisfactory authority, and there is in it such a mixture of that wildness, and instinctive energy of intellect, so peculiar to madmen in a state of recovery, that I fully believe it to have happened as related.

MAMMOTH MUSHROOM

A MUSHROOM, (says a London paper) was gathered last week in a nursery garden near Sheffield, which measured inches over the top, and weighed 24 pounds.

A BAKER at Reading lately crammed some *penny pieces* into some loves of *light weight*, in order to deceive the inspectors. The trick was, however, discovered, and the baker very properly fined. This was being *penny*-wise and *pound*-foolish.

[*London paper.*]

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